

SENATE BILL No. 660

August 13, 2003, Introduced by Senator ALLEN and referred to the Committee on Families and Human Services.

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 45 and 48 (MCL 400.45 and 400.48), section 45 as amended by 1995 PA 223 and section 48 as amended by 1996 PA 423.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 45. (1) A county family independence agency is created
2 **and shall be maintained** in each county of this state. ~~—, which~~
3 ~~shall possess—~~ **A county family independence agency has** the powers
4 granted and **shall** perform the duties imposed in this act. The
5 county family independence agency shall consist of a county
6 family independence agency board and the director of the county
7 family independence agency, together with assistants and
8 employees ~~as may be~~ necessary to operate the county family
9 independence agency. As used in this act, references to "county

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1 department of social services" or "county department" mean the
2 county family independence agency and references to "county
3 social services board" and "county board" mean the county family
4 independence agency board.

5 (2) The powers and duties of the county family independence
6 agency board include all of the following:

7 (a) Supervision of and responsibility for the administration
8 of the county infirmary and county medical care facility and
9 child caring institution, except as provided in sections 55(c)
10 and 58.

11 (b) Conduct, in conjunction with the family independence
12 agency, an annual review of ~~social~~ **human** service programs
13 operating within the county.

14 (c) Development of policy and supervision of the
15 administration of ~~social~~ **human** service programs authorized by
16 the county board of commissioners or financed solely from county
17 funds or county administered funds.

18 (d) Development and administration of employment programs and
19 work training projects complementary to and not in conflict with
20 state programs.

21 (e) Review and submit recommendations on contracts involving
22 programs administered by the family independence agency proposed
23 to be entered into between the family independence agency and
24 public or private agencies within the county including proposed
25 purchases of service contracts from applicant agencies within the
26 county eligible for funding under title XX. ~~of the social~~
27 ~~security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1397 to~~

1 ~~1397f.~~— A contract shall not be entered into between the family
2 independence agency and a public or private agency within the
3 county until the board has been provided an opportunity for
4 review of the contract. The board shall be advised by the family
5 independence agency within 30 days after contracts have been
6 signed with an explanation of the differences between contracts
7 recommended by the board and those actually entered into.

8 (f) Act as the agent for the county board of commissioners in
9 the development of coordinated or consolidated approaches to the
10 delivery of ~~social~~ **human** services and cooperative service
11 delivery arrangements between the family independence agency and
12 each public and private ~~social~~ **human** service agency within the
13 county.

14 (g) Represent the county board of commissioners in all
15 negotiations between the county and the family independence
16 agency.

17 (h) Make annual policy recommendations to the Michigan county
18 social services association on annual departmental
19 appropriations, priorities for utilization of title XX funds,
20 eligibility standards for general public relief and burial,
21 employment programs, work training projects, and other related
22 issues.

23 (3) The family independence agency shall provide suitable
24 office accommodations for programs funded in whole or in part
25 with state funds. The county family independence agency board
26 shall review and recommend to the director proposed office sites
27 within the county. The director shall notify the board before

1 final site selection with an explanation of the selection of a
2 site other than that proposed by the board.

3 (4) The salary and expenses of each member of the county
4 board shall be fixed by the county board of commissioners
5 according to the amount of time the member devotes to the
6 performance of official duties. A member of the county board may
7 not serve as the director or an employee of the county family
8 independence agency. The members of the county boards shall be
9 appointed at the annual October session of commissioners, and
10 members shall qualify by taking and filing the oath of office
11 with the county clerk, and shall assume their duties as
12 prescribed by this act not later than November 1 of the year
13 appointed.

14 (5) The director, employees, and assistants of the county
15 family independence agency shall be appointed by the family
16 independence agency from among ~~persons~~ **individuals** certified as
17 qualified by the state civil service commission. The county
18 family independence agency board shall review the qualifications
19 of and interview each applicant for the position of county family
20 independence agency director. The county director shall be
21 appointed from among ~~persons~~ **individuals** certified as eligible
22 and recommended by the family independence agency and by the
23 county board. These appointment provisions do not apply under
24 conditions of reduction in state work force, in which case the
25 administrative employment preference rules for bumping
26 promulgated by the Michigan civil service commission apply. The
27 county board shall advise and make recommendations to the state

1 director regarding the performance of the county director within
2 6 months after the appointment of the county director and
3 annually after that time. A copy of each evaluation shall be
4 provided to the county director.

5 (6) Except as prescribed in sections 35 and 64, a writing
6 prepared, owned, used, in the possession of, or retained by the
7 county family independence agency in the performance of an
8 official function shall be made available to the public in
9 compliance with the freedom of information act, ~~Act No. 442 of~~
10 ~~the Public Acts of 1976, being sections 15.231 to 15.246 of the~~
11 ~~Michigan Compiled Laws— 1976 PA 442, MCL 15.231 to 15.246.~~

12 Sec. 48. (1) The director of the family independence agency
13 may organize 2 counties into a single administrative unit for
14 purposes of administrative efficiency **only. However, at least 1**
15 **county family independence agency office shall be maintained and**
16 **open to the public in every county in this state.** The director of
17 the single administrative unit shall be appointed by the family
18 independence agency from among persons certified as eligible and
19 recommended by the family independence agency and by all of the
20 affected county boards. If the affected county boards are unable
21 to reach agreement on recommended candidates within 3 months
22 after being notified of a vacancy, the director of the single
23 administrative unit shall be appointed by the family independence
24 agency from among persons certified as eligible and recommended
25 by the family independence agency and by 1 or more of the
26 affected county boards.

27 (2) ~~The~~ **Except as provided in subsection (1) and section**

1 **45, the** director of the family independence agency may establish
2 a pilot project combining Lapeer, Huron, and Tuscola counties
3 into a single administrative unit. The director of the single
4 administrative unit shall be appointed in accordance with
5 subsection (1). Not later than ~~2 years after the effective date~~
6 ~~of the amendatory act that added this subsection~~ **March 28, 1998,**
7 the department shall submit a report to the legislature on the
8 effect of the pilot project.